

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AUSTIN EDWARD LIGHTFEATHER,

Plaintiff,

vs.

JEVON WOODS,

Defendant.

8:21CV115

ORDER

On June 8, 2022, the Court entered an order which required the parties to attend a pretrial conference on January 18, 2023. (Filing No. 26). Pursuant to that order, defense counsel had the primary responsibility for drafting the proposed Order on Final Pretrial Conference, with additions and/or proposed deletions to be provided by the plaintiff. Defense counsel was ordered to then submit the Proposed Order on Final Pretrial Conference to the court by no later than January 11, 2023. The court did not receive a proposed order.

The Final Pretrial Conference was scheduled to be held telephonically at 11:00 a.m. yesterday. Plaintiff is currently incarcerated and under such circumstances, Defense counsel was ordered to “contact the plaintiff’s institution in advance and arrange to initiate and place the conference call.” (Filing No. 26, at CM/ECF p. 2). The court was not given calling instructions in advance of the scheduled pretrial conference, so the court waited for a phone call from the parties. No one called.

Defendant has not complied with the court’s order, and Defendant has not explained the failure to comply with the court’s order, (Filing No. 26).

Accordingly,

IT IS ORDERED that Defendant is given until February 8, 2023 to show cause why the court should not enter a default against Defendant. The failure to timely comply with this order may result in an entry of default without further notice.

January 19, 2023

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge